

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

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JAY SINGER.

Plaintiff,

V.

HEATHER WILSON, Secretary of the Air Force,

Defendant.

Case No. 2:16-cv-02681-APG-GWF

**ORDER (1) GRANTING MOTION TO
STRIKE CLAIMS FOR
COMPENSATORY DAMAGES,
PUNITIVE DAMAGES, AND
ATTORNEY'S FEES, AND (2)
GRANTING MOTION FOR PARTIAL
JUDGMENT ON THE PLEADINGS**

(ECF Nos. 20, 21)

Defendant Heather Wilson,¹ Secretary of the Air Force, moves to strike plaintiff Jay Singer’s requests in the amended complaint for compensatory damages, punitive damages, and attorney’s fees. ECF No. 20. Wilson argues these types of relief are unavailable under the Age Discrimination in Employment Act (“ADEA”) as applicable to federal employment. Singer does not oppose the motion. ECF No. 23. I therefore grant it.

Wilson also moves for partial judgment on the pleadings in relation to Singer's age discrimination claim under Nevada state law. She argues those statutes do not apply in this case because the ADEA is the exclusive remedy for alleged age discrimination in federal employment. Singer does not oppose the motion. ECF No. 25. I therefore grant it.

IT IS THEREFORE ORDERED that defendant Heather Wilson's motion to strike claims for compensatory damages, punitive damages, and attorney's fees (**ECF No. 20**) is GRANTED.

IT IS FURTHER ORDERED that defendant Heather Wilson's motion for partial judgment on the pleadings (**ECF No. 21**) is GRANTED.

¹ The motions were filed under the name of defendant Lisa Disbrow, who was then acting secretary of the Air Force. Heather Wilson was confirmed as Secretary of the Air Force on May 8, 2017, and is automatically substituted as the defendant in this matter under Federal Rule of Civil Procedure 25(d).

1 IT IS FURTHER ORDERED that the clerk of court is instructed to correct the caption in
2 this case to show the proper defendant as Heather Wilson, Secretary of the Air Force.

3 DATED this 1st day of June, 2017.

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5 ANDREW P. GORDON
6 UNITED STATES DISTRICT JUDGE

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